

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Kurt Alan Topfer
Debtor

Case No. 18-01966-RNO
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0314-5

User: BIrving
Form ID: pdf010

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 25, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 27, 2018.

NO NOTICES MAILED.

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
db +E-mail/PDF: kurt.topfer@gmail.com Jul 25 2018 19:01:00 Kurt Alan Topfer, 39 Loop Road,
Mountaintop, PA 18707-1778

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 27, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 25, 2018 at the address(es) listed below:

Lisa M. Doran on behalf of Defendant Evelyne Ruetimann Topfer ldoran@dorananddorand.com
Lisa M. Doran on behalf of Creditor Evelyne Ruetimann Topfer ldoran@dorananddorand.com
Robert P. Sheils, Jr (Trustee) rsheils@sheilslaw.com,
rmcdonald@sheilslaw.com;PA41@ecfcbis.com;psheldon@sheilslaw.com
United States Trustee ustpreion03.ha.ecf@usdoj.gov

TOTAL: 4

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

KURT ALAN TOPFER

Debtor 1

Chapter: 7

Case No.: 5-18-bk-01966 RNO

EVELYNE RUETIMANN TOPFER

Movant(s)

Document No.: 21

vs.

**KURT ALAN TOPFER and ROBERT P.
SHEILS, JR., CHAPTER 7 TRUSTEE**

**Nature of
Proceeding: Motion for Relief from Automatic
Stay**

Respondent(s)

ORDER

After due consideration of the Motion for Relief from Automatic Stay to Allow Equitable Distribution to Proceed in State Court and to Conclude Divorce Action filed to Docket No. 21 (“Motion”), after hearing held on July 20, 2018, the Court makes the following findings:

1. The Motion concerns a divorce action captioned Evelyne R. Ruetimann Topfer v. Kurt A. Topfer, filed to No. 384 of 2015 in the Luzerne County Court of Common Pleas (“Divorce Action”).
2. The Movant, Evelyne Ruetimann Topfer, has shown cause under 11 U.S.C. § 362(d)(1) for the grant of relief from the automatic stay in order to proceed with the Divorce Action.
3. On this date, the Court entered an Order remanding the Divorce Action, which had been removed to this Court by Kurt A. Topfer, by Notice of Removal filed in an Adversary Proceeding filed to No. 5-18-ap-00066, back to the Luzerne County Court of Common Pleas.

Based upon the above findings, it is

ORDERED that the Motion is GRANTED; and,

FURTHER ORDERED that relief from the automatic stay is granted to the Movant, Evelyne Ruetimann Topfer, to proceed to a final, unappealable judgment in the Divorce Action. This relief from stay shall include allowing the state courts to finally determine the issues raised in the Divorce Action, including, without limitation, equitable distribution, alimony, counsel fees, costs, sanctions, entry of a divorce decree, and approval of any property settlement; and,

FURTHER ORDERED that the Movant shall not seek to enforce the final judgment entered in the Divorce Action against either the Debtor, Kurt A. Topfer, or property of the estate, other than through the bankruptcy claims allowance process, or based upon further order of this Court.

By the Court,

A handwritten signature in black ink, appearing to read "Robert N. Opel II". The signature is stylized with a large, looped "R" and "O".

Robert N. Opel, II, Chief Bankruptcy Judge (BI)

July 25, 2018